

**PATENT**  
App. Ser. No.: 10/691,308  
Atty. Dkt. No. ROC920030320US1  
PS Ref. No.: IBMK30320

## REMARKS

This is intended as a full and complete response to the Office Action dated March 31, 2006, having a shortened statutory period for response set to expire on June 30, 2006. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-30 are pending in the application. Claims 1-30 remain pending following entry of this response. Claims 1, 6, 11, and 17-20 have been amended. Claim 25 has been canceled. Applicants submit that the amendments do not introduce new matter.

### Double Patenting Rejection

Claims 28 and 29 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1, 2 respectively of copending Application No. 10/691,415. Applicants submit herewith the attached terminal disclaimer in compliance with 37 CFR 1.321(c) to obviate the provisional double patenting rejection. Accordingly, Applicants respectfully request that the rejection be withdrawn.

### Claim Objection

Claim 22 is objected to because of informalities. Claim 22 has been amended, as suggested in the Office Action, to depend from claim 21. Accordingly, withdrawal of this objection is respectfully requested.

### Claim Rejections - 35 U.S.C. § 101

Claims 17-27 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 17-20 refer to a *computer readable storage medium* placing those claims within statutory subject matter. Claim 21 refers to

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a data processing system. Thus, dependent claims 22-27 are also allowable. Applicants respectfully request withdrawal of these rejections.

Claim Rejections - 35 U.S.C. § 102

Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Patent No: 5,940,821 to Wical (hereinafter *Wical*). Applicants respectfully traverse this rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

In this case, *Wical* fails to teach "each and every element as set for the claim." For example, *Wical* does not disclose *modifying a query to contain one or more conditions based on one ore more expanded search terms* as recited in claims 1, 6, 11, 17, 21, 28. The Examiner maintains the position, that *Wical* teaches this element (*Wical* Col 3, lines 11-22). However, the cited passage does not teach *modifying a query*. In fact, there is no mention of *modifying a query* in *Wical* at all. Rather, *Wical* only teaches displaying to a user, additional areas to which a search may be directed, which is not equivalent to the claimed *modification of a query*.

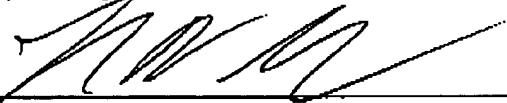
Therefore, independent claims 1, 6, 11, 17, 21, 28 and their dependents are believed to be allowable, and withdrawal of the rejection is respectfully requested.

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**Conclusion**

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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Randol W. Read  
Registration No. 43,876  
PATTERSON & SHERIDAN, L.L.P.  
3040 Post Oak Blvd. Suite 1500  
Houston, TX 77056  
Telephone: (713) 623-4844  
Facsimile: (713) 623-4846  
Attorney for Applicant(s)